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NOVARTIS PHARMACEUTICALS  
CORPORATION, NOVARTIS CORPORATION,  
and McKESSON CORPORATION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

THERESA WALDON,

Plaintiff,

vs.

NOVARTIS PHARMACEUTICALS  
CORPORATION, a Delaware corporation;  
NOVARTIS CORPORATION, a New  
York corporation; and McKESSON  
CORPORATION, a Delaware corporation,

Defendants.

Case No. C 07 1988 MJJ

**STIPULATION AND ~~[PROPOSED]~~  
ORDER EXTENDING TIME FOR  
DEFENDANT McKESSON  
CORPORATION TO RESPOND TO  
AMENDED COMPLAINT AND FOR CASE  
MANAGEMENT SCHEDULE**

Dept: Courtroom 11, 19th Floor  
Judge: Hon. Martin J. Jenkins

Stip. and [Proposed] Order Extending Time for  
McKesson Corp. to Respond to Complaint and  
for CM Schedule, Case No. C 07 1988 MJJ

1 WHEREAS, on March 28, 2007, plaintiff Theresa Waldon ("Plaintiff") filed her  
2 Complaint for Damages in the Superior Court of the State of California in and for the County of  
3 San Francisco; and

4 WHEREAS on April 9, 2007, defendants Novartis Pharmaceuticals Corporation and  
5 Novartis Corporation filed a Notice of Removal and related documents in this Court; and

6 WHEREAS, on May 4, 2007, Plaintiff filed a Motion to Remand the case to state court;  
7 and

8 WHEREAS, defendant McKesson Corporation ("McKesson") was served with the  
9 Complaint; and

10 WHEREAS, by stipulation pursuant to Local Rules ("L.R.") 6-1 and 7-12, McKesson was  
11 given 10 court days following this Court's order on Plaintiff's Motion to Remand the case to state  
12 court to respond to the Complaint; and

13 WHEREAS, on June 18, 2007, this Court issued an order, denying Plaintiff's Motion to  
14 Remand; and

15 WHEREAS, on June 28, 2007, in accordance with this Court's April 9, 2007 order, the  
16 parties met and conferred regarding the Rule 26(f) requirements and the possibility of alternative  
17 dispute resolution; and

18 WHEREAS, on July 2, 2007, the parties discussed the possibility of a joint motion to  
19 transfer the litigation to the Northern District of Georgia, where Plaintiff resides; and

20 WHEREAS, on July 2, 2007, the parties stipulated and prepared a [proposed] order to  
21 extend by 30 days all existing obligations, including the date for McKesson's response to the  
22 Complaint and the dates set forth in this Court's order, so as to facilitate the resolution of the  
23 venue for this litigation; and

24 WHEREAS, on July 9, 2007, the Court issued an order granting such an extension; and

25 WHEREAS, on July 30, 2007, in accordance with this Court's July 9, 2007 order, the  
26 parties met and conferred regarding the Rule 26(f) requirements and the possibility of alternative  
27 dispute resolution, and further discussed a transfer of the litigation to federal district court in  
28 Georgia as well as the status of the litigation and the possibility of a resolution without further

Stip. and [Proposed] Order Extending Time for  
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1 court involvement (*See* Declaration of Eric G. Lasker (“Lasker Decl.”), ¶¶ 2 & 3); and

2 WHEREAS, the parties agree that an extension of thirty (30) days on all existing  
3 obligations, including the date for McKesson’s response to the Complaint and the dates set forth  
4 in this Court’s April 9, 2007 order, will facilitate the resolution of the venue for this litigation  
5 (*See* Lasker Decl., ¶ 3, Ex. A); and

6 WHEREAS, in the event the parties agree to file a joint motion for transfer, and assuming  
7 said motion is granted, or the parties otherwise resolve the case without further court  
8 involvement, there will be no further proceedings in this Court and the pending schedule will  
9 become moot. (*See* Lasker Decl., ¶ 4).

10 THEREFORE, pursuant to L.R. 6-1, 6-2 and 7-12 and subject to the approval of the  
11 Court, the parties hereby stipulate and agree that there is good cause for a thirty (30) day  
12 extension of time, for McKesson to respond to the Complaint and a corresponding continuance of  
13 Case Management dates, as follows:

14 Last day for McKesson to respond to	August 31, 2007
15 Complaint:	
16 Last day to meet and confer pursuant to Rule	September 4, 2007 <sup>1</sup>
26(f) and submit Joint ADR Certification	
17 Last day to complete Initial Disclosures, file	September 17, 2007 <sup>2</sup>
18 Case Management Statement, and file	
Discovery Report	
19 Case Management Conference	October 2, 2007 <sup>3</sup>
20	2 p.m.

21 SO STIPULATED:

22  
23 <sup>1</sup> Technically, thirty days following the previously scheduled date for the Rule 26(f) meet and confer and deadline for  
24 the Joint ADR certification (which is Thursday, August 2, 2007) is Saturday, September 1, 2007. Also, the Court is  
closed on Monday, September 3, 2007 for Labor Day. Accordingly, the date listed is September 4, 2007, which is the  
following Tuesday.

25 <sup>2</sup> Technically, thirty days following the previously scheduled date for completion of the Initial Disclosures and filing  
26 of the Case Management Statement and Discovery Report (which is Thursday, August 16, 2007) is Saturday,  
September 15. Accordingly, the date listed is September 17, 2007, the following Monday.

27 <sup>3</sup> Technically, thirty days following the previously scheduled date for the case management conference (which is  
28 Tuesday, August 28, 2007) is Thursday, September 27, 2007. However, pursuant to paragraph 1 of this Court’s  
standing order, “Case Management/Status Conferences are held on **Tuesday at 2:00p.m.**” (original emphasis).  
Accordingly, the date listed is October 2, 2007, which is the following Tuesday.

1 Dated: July 31, 2007

FARELLA BRAUN & MARTEL LLP

2  
3 By: /S/  
Monali S. Sheth

4 Attorneys for Defendants  
5 NOVARTIS PHARMACEUTICALS  
6 CORPORATION, NOVARTIS  
CORPORATION, and McKESSON  
7 CORPORATION  
PHILLIPS & ASSOCIATES

8 Dated: July 31, 2007

9 By: /S/  
Lowell Finson


10 Attorneys for Plaintiff  
11 THERESA WALDON  
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1           Upon stipulation of the parties and good cause shown, IT IS HEREBY ORDERED that  
2 the time for defendant McKesson Corporation ("McKesson") to respond to plaintiff Theresa  
3 Waldon's Complaint is extended, and the Case Management dates are continued, as follows:

4 Last day for McKesson to respond to	August 31, 2007
5 Complaint:	
6 Last day to meet and confer pursuant to Rule	September 4, 2007
26(f) and submit Joint ADR Certification	
7 Last day to complete Initial Disclosures, file	September 17, 2007
8 Case Management Statement, and file	
Discovery Report	
9 Case Management Conference	October 2, 2007
	2 p.m.

10  
11  
12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

13  
14 DATED: 8/3/07

  
\_\_\_\_\_  
MARTIN J. JENKINS  
United States District Judge

1 I, Monali S. Sheth, hereby attest that I have obtained consent for, and will maintain on  
2 file, all holograph signatures for any signatures indicated by a “conformed” signature (“/S/”)  
3 within this e-filed document.

4 Dated: July 31, 2007

FARELLA BRAUN & MARTEL LLP

6 By: /S/  
7 Monali S. Sheth

8 Attorneys for Defendants  
9 NOVARTIS PHARMACEUTICALS  
10 CORPORATION, NOVARTIS  
11 CORPORATION, and McKESSON  
12 CORPORATION  
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